

# H.R. 9

To reform the entire structure of local law enforcement agencies, including the Metropolitan Police Department and the United States Capitol Police, and define their powers, responsibilities, and jurisdictions within the law.

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IN THE HOUSE OF REPRESENTATIVES  
APRIL 3RD, 2023

Mr. Odure introduced the following bill, which was referred to  
the Committee on Oversight.

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## A BILL

To reform the entire structure of local law enforcement agencies, including the Metropolitan Police Department and the United States Capitol Police, and define their powers, responsibilities, and jurisdictions within the law.

*Be it enacted by the Senate and House of Representatives in  
Congress Assembled*

### SEC 1. SHORT TITLE

This bill shall be referred to by its short title, “Local Law Enforcement Agencies Reform and Nurturing” or “LLEARN”.

### SEC 2. SEVERABILITY

This Act shall be severable, such that if any word, phrase, line, sentence or provision of this Act, or the application of any of them to any person or circumstance, is held invalid, their application to other persons or circumstances, and the remainder of this Act shall not be affected thereby. This Act shall not be superseded by any newer law unless that law specifically declares its intent to supersede this Act’s provisions.

### SEC 3. EFFECTIVE DATE

This bill shall be effective immediately upon passage by both chambers of the Congress and signature of the President of the United States, or its otherwise becoming law, unless an article of this bill shall otherwise explicitly mention an alternative effective date or duration, in which case that article shall become effective at the specified date.

#### **SEC 4. GENERAL PROVISION**

Pursuant to [Public Law 1-1](#), codes listed in this act shall be applicable.

#### **SEC 5. DEFINITIONS**

For the purposes of this act-

- (a) The term “Metropolitan Police” means the Metropolitan Police Department, as established in this act.
- (b) The term “Capitol Police” means the United States Capitol Police, as established in this act and 2 U.S. Code § 1902.
- (c) The term “sworn officers” means all of the sworn lieutenants, sergeants, and officers of the respective departments of the Metropolitan Police And Capitol Police.
- (d) The term "emergency situations" means any extraordinary occurrence in the District of Columbia which requires the use of sworn officers to protect the health and safety of residents and visitors, including civil disorder, riots, acts of terrorism, or natural disasters.
- (e) The term “PSA” means Police Service Area.
- (f) The term “Chief” means the Chiefs of Police of the respective departments of the Metropolitan Police and Capitol Police.
- (g) The term “the United States Capitol Buildings and Grounds” means any building or facility acquired by the Sergeant at Arms of the Senate, or the Sergeant at Arms of the House of Representatives for the use of the Senate or House of Representatives for which the Sergeant at Arms has entered into an agreement with the United States Capitol Police for the policing of the building or facility. It shall also include the Library of Congress buildings and grounds.

## **SEC 6. THE METROPOLITAN POLICE DEPARTMENT**

### **(1) ESTABLISHMENT**

1. There hereby is established the Metropolitan Police Department as a bureau within the Department of Justice under the authority and direction of the Attorney General, which shall act as the primary law enforcement agency within the District of Columbia.
2. The Metropolitan Police District shall be coextensive with the District of Columbia, and may be subdivided into such police districts and precincts as the Congress may from time to time direct.
3. There shall be a captain of the Metropolitan Police and such other members with such rates of compensation, respectively, as may be appropriated for by Congress.

### **(2) LEADERSHIP**

1. The principal head of the Metropolitan Police Department shall be the Chief of Police, who shall be appointed by the President, by and with the advice and consent of the Capitol Police Board (referred to in this section as “the Board”), and who shall serve at the pleasure of the President and the Board, but may be removed at the discretion of the Board.
2. There is established in the Metropolitan Police the office of Deputy Chief of Police of the Metropolitan Police Department, which shall be filled by appointment by the President, by and with the advice and consent of the Capitol Police Board, and who shall serve at the pleasure of the President and the Board, but may be removed but may be removed at the discretion of the Board. The Deputy Chief of Police shall perform such duties as may be prescribed by the Chief of Police or required by law. The Deputy Chief shall:
  - a. in case of the death, resignation, or removal from office of the Chief, perform the duties of the Chief until a successor is appointed; and
  - b. in case of the absence or sickness of the Chief, perform the duties of the Chief until such absence or sickness shall terminate.
3. There shall be in the Metropolitan Police Department an Assistant Chief of Police for Administration who shall be appointed by the Chief. The Assistant Chief of Administration shall have direct oversight of the Bureau of Investigative Services, and the Bureau of Professional Development, and

shall perform such duties as the Chief shall prescribe or as required by law.

4. There shall be in the Metropolitan Police Department an Assistant Chief of Police for Operations who shall be appointed by the Chief. The Assistant Chief of Operations shall have direct oversight of the Bureau of Patrol Services, and the Bureau of Homeland Security. They shall perform such duties as the Chief shall prescribe or as required by law.
5. Any officers appointed to the positions of Assistant Chief of Police or Commander shall be of good standing with no disciplinary action pending or administered resulting in more than a fourteen calendar day suspension or termination within the past 14 days.

### **(3) STRUCTURE AND JURISDICTION**

1. The following-named offices and bureaus of the public service, and all that pertains to the same, shall be under the jurisdiction and supervision of the Metropolitan Police Department:
  - a. Bureau of Patrol Services
  - b. Bureau of Homeland Security
  - c. Bureau of Professional Development
  - d. Bureau of Investigative Services
2. The Bureau of Patrol Services shall form the main enforcement bureau of Metropolitan Police. It shall undertake the duties prescribed to it by the Chief, Deputy Chief, Assistant Chief of Operations or the Bureau's Leadership, and those duties shall include the general patrol within and enforcement of the laws of the District of Columbia.
3. The Bureau of Homeland Security shall undertake the duties prescribed to it by the Chief, Deputy Chief, Assistant Chief of Operations or the Bureau's Leadership, and those duties shall include the protection of individuals designated by the Chief or relevant law needing security from the Metropolitan Police, the disarming of explosive ordnance, and the use of specialised aerial or canine units within the Metropolitan Police
4. The Bureau of Professional Development shall undertake the duties prescribed to it by the Chief, Deputy Chief, Assistant Chief of Administration or the Bureau's Leadership, and such duties shall include the hiring, firing, and overall management and progression of personnel.
5. The Bureau of Investigative Services shall undertake the duties prescribed to it by the Chief, Deputy Chief, Assistant Chief of

Administration or the Bureau's Leadership, and such duties shall include the investigation of personnel misconduct and of crimes and the investigation of crimes and offences brought to the attention of the Metropolitan Police.

6. The Chief of Police may close and open any of the Bureaus, divisions, teams, units or other organisations established under the Metropolitan Police, by law or policy, as he deems fit.

#### **(4) POWERS AND DUTIES**

1. It is the primary role and mission of the Metropolitan Police to:
  - a. preserve the public peace;
  - b. prevent crime and arrest offenders;
  - c. protect the rights of persons and of property;
  - d. guard the public health;
  - e. preserve order at every public election;
  - f. remove nuisances existing in the public streets, roads, alleys, highways, and other places; and
  - g. enforce and obey all laws and ordinances in force within the District, or any part thereof, which are properly applicable to police or health, and not inconsistent with the provisions of this law.
2. The Metropolitan Police is authorised to:
  - a. make arrests and otherwise enforce the laws of the United States, including the laws of the District of Columbia;
  - b. execute warrants issued under the laws of the United States or the District of Columbia;
  - c. carry firearms;
  - d. make arrests without warrant for any offence against the United States or the District of Columbia committed in their presence, or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony;
  - e. offer and pay rewards for services and information leading to the apprehension of persons involved in the violation or potential violation of those provisions of law which the Metropolitan Police is authorised to enforce;
  - f. provide for the personal protection of high ranking government officials within the municipal government.

- g. investigate such fugitive matters, both within and outside the United States, as directed by the Attorney General;
  - h. investigate crimes against the United States and the District of Columbia;
  - i. close roads and sidewalks as authorised or as needed to uphold their primary role and missions; and
  - j. perform such other functions and duties as are authorised by law.
- 3. The Chief of the Metropolitan Police Department, with the approval of the Board, shall establish Police Service Areas, based on the following considerations:
  - a. the number of offences;
  - b. the number of arrests;
  - c. the need for officers;
  - d. the need for traffic enforcement; and
  - e. the number of calls.
- 4. PSAs shall serve as priority areas for the deployment of sworn officers in emergency situations. During regular service, officers shall be assigned to street patrol and available to respond to calls for service in these areas.

#### **(5) OFFICERS**

- 1. The Chief of the Metropolitan Police shall appoint to office, assign to such duty or duties as he may prescribe, and promote all officers and members of the Metropolitan Police; provided, that all officers, members, and civilian employees of the force except the Chief of Police, Deputy Chiefs of Police and Assistant Chief of Police, and the Commanders, shall be appointed and promoted in accordance with the provisions of §§ 1101-1103, 1105, 1301-1303, 1307, 1308, 2102, 2951, 3302-3306, 3318, 3319, 3321, 3361, 7152, 7321, 7322, and 7352 of Title 5, United States Code, and the rules and regulations made in pursuance thereof, in the same manner as members of the classified civil service of the United States; provided further, that the executive command positions of the 3 classes shall be selected from among the lieutenants and captains of the force and shall be returned to the same civil service rank when the Chief so determines.
- 2. Provided further, all officers shall go through the training by the Bureau of Professional Development. In order that the full complement of the Metropolitan Police may at all times be

maintained, as authorised by law, the Chief of the Metropolitan Police is authorised, when vacancies occur in leadership positions, which cannot be filled by promotion, to appoint lower officers.

3. All officers shall take an oath of office as prescribed by the laws of the United States or the District of Columbia.

#### **(5) MUNICIPALITY OF THE DISTRICT OF COLUMBIA**

In the event of the return of home rule, by an act of Congress, to the Municipality of the District of Columbia;

- a. The Metropolitan Police shall be placed under the jurisdiction of the Municipality of the District of Columbia;
- b. All authority invested into the President of the United States over the Metropolitan Police shall be invested in the Mayor of the Municipality of the District of Columbia; and
- c. All authority invested into the Board over the Metropolitan Police shall be invested in the legislative branch of the Municipality of the District of Columbia.

### **SEC 7. UNITED STATES CAPITOL POLICE**

#### **(1) REPEALMENT**

1. [Public Law 3-16](#) shall remain repealed in its entirety.
2. [Public Law 7-45](#) shall be repealed in its entirety.
3. [Public Law 16-119](#) shall be repealed in its entirety.
4. [Public Law 17-134](#) shall be repealed in its entirety.
5. [Public Law 18-143](#) shall be repealed in its entirety.
6. [Public Law 11-69](#) shall be repealed in its entirety.
7. 2 U.S. Code § 1902 shall be repealed in its entirety.
8. 2 U.S. Code § 1903 shall be repealed in its entirety.
9. 2 U.S. Code § 1904 shall be repealed in its entirety.
10. 2 U.S. Code § 1905 shall be repealed in its entirety.
11. 2 U.S. Code § 1905a shall be repealed in its entirety.
12. 2 U.S. Code § 1905b shall be repealed in its entirety.
13. 2 U.S. Code § 1907 shall be repealed in its entirety.
14. 2 U.S. Code § 1907a shall be repealed in its entirety.
15. 2 U.S. Code § 1907b shall be repealed in its entirety.
16. 2 U.S. Code § 1910 shall be repealed in its entirety.
17. 2 U.S. Codes § 1921 shall be repealed in its entirety.
18. 2 U.S. Codes § 1921a shall be repealed in its entirety.
19. 2 U.S. Codes § 1922 shall be repealed in its entirety.

20. 2 U.S. Codes § 1923 shall be repealed in its entirety.
21. 2 U.S. Codes § 1926 shall be repealed in its entirety.
22. 2 U.S. Codes § 1927 shall be repealed in its entirety.
23. 2 U.S. Codes § 1930 shall be repealed in its entirety.
24. 2 U.S. Codes § 1931 shall be repealed in its entirety.
25. 2 U.S. Codes § 1932 shall be repealed in its entirety.
26. 2 U.S. Codes § 1933 shall be repealed in its entirety.
27. 2 U.S. Codes § 1934 shall be repealed in its entirety.
28. 2 U.S. Code § 1964 shall be repealed in its entirety.
29. 2 U.S. Code § 1965 shall be repealed in its entirety.
30. 2 U.S. Code § 1966 shall be repealed in its entirety.
31. 2 U.S. Code § 1968 shall be repealed in its entirety.
32. 2 U.S. Code § 1971 shall be repealed in its entirety.
33. 2 U.S. Code § 1972 shall be repealed in its entirety.
34. 2 U.S. Code § 1973 shall be repealed in its entirety.
35. 2 U.S. Code § 1976 shall be repealed in its entirety.
36. 2 U.S. Code § 1980 shall be repealed in its entirety.
37. 2 U.S. Code § 1981 shall be repealed in its entirety.

## **(2) CAPITOL POLICE BOARD**

2 U.S. Code § 1901a shall be repealed in its entirety. 2 U.S. Code § 1901a shall now read as;

a. Establishment

- i. There shall be established the Capitol Police Board (herein referred to in this section as “the Board”).
- ii. The purpose of the Board is to oversee and support the Capitol Police in its mission and to advance coordination between the Capitol Police and the Sergeant at Arms of the both chambers, in their law enforcement capacities, and the Congress. Consistent with this purpose, the Capitol Police Board shall establish general goals and objectives covering its major functions and operations to improve the efficiency and effectiveness of its operations.
- iii. The Board shall consist of the Speaker of the House of Representatives, President *pro tempore* of the Senate, Sergeant at Arms of the House of Representatives, the Sergeant at Arms of the Senate, and the Chief of the Capitol Police. The Chief of Capitol Police shall serve in an



ex-officio capacity and be a non-voting member of the Board.

- iv. The voting members of the Board shall choose their own Chairperson from among their members with a simple majority vote.
- b. Executive Assistant to the Board
  - i. There shall be established in the Capitol Police an Executive Assistant for the Capitol Police Board to act as a central point to enhance the overall effectiveness and efficiency of the Board's administrative activities.
  - ii. The Executive Assistant shall be appointed by the Chief of the Capitol Police in consultation with the Sergeant at Arms of the House of Representatives and the Sergeant at Arms of the Senate.
  - iii. The Executive Assistant shall be assigned to, and report to, the Chairman of the Board. The Executive Assistant shall assist the Board in developing, documenting, and implementing a clearly defined process for additional tasks assigned to the Capitol Police Board under this section, and shall perform any additional duties assigned by the Capitol Police Board.
- c. Documentation
  - i. The Board shall document its functions and processes, including its mission statement, policies, directives, and operating procedures, and make such documentation available for examination by the public.

### **(3) LEADERSHIP**

- 1. The principal head of the Capitol Police shall be the Chief of Police, who shall be appointed by the Capitol Police Board (referred to in this section as "the Board"), and who shall serve at the pleasure of the Board.
- 2. There is established in the Capitol Police the office of Assistant Chief of Police of the Capitol Police, which shall be filled by appointment by the Chief of Police, with the advice and consent of the Board, and who shall serve at the pleasure of the Chief, but may be removed at the discretion of the Board. The Assistant Chief of

Police shall perform such duties as may be prescribed by the Chief of Police or required by law. The Assistant Chief shall:

- a. in case of the death, resignation, or removal from office of the Chief, perform the duties of the Chief until a successor is appointed; and
- b. in case of the absence or sickness of the Chief, perform the duties of the Chief until such absence or sickness shall terminate.

#### **(4) STRUCTURE AND JURISDICTION**

1. The following named bureaus of the public service, and all that pertains to the same, shall be under the jurisdiction and supervision of the Capitol Police:
  - a. Bureau of Uniform Services
  - b. Bureau of Special Operations
  - c. Bureau of Personnel Management
2. The Bureau of Uniform Services shall form the main enforcement bureau of Capitol Police. It shall undertake the duties prescribed to it by the Chief, Assistant Chief, or the Bureau's leadership, and those duties shall include the general patrol within and enforcement of the laws of the United States, within Capitol Grounds, and outside those grounds as needed.
3. The Bureau of Special Operations shall undertake the duties prescribed to it by the Chief, Assistant Chief, or the Bureau's leadership, and those duties shall include the protection of congress members, or individuals designated by the Chief, needing security from the Capitol Police (or as required by law), and the use of specialised units to respond to threats or emergency situations.
4. The Bureau of Personnel Management shall undertake the duties prescribed to it by the Chief, Assistant Chief, or the Bureau's leadership, and such duties shall include the hiring, firing, overall management and progression of personnel, and internal affairs of the Capitol Police.
5. The Chief of Police may close and open any of the Bureaus, divisions, teams, units or other organisations established under the Capitol Police, by law or policy, as he deems fit.

## **(5) JURISDICTION AND POWERS**

1. 2 U.S. Code § 1961 shall be stricken in its entirety, and shall now read as follows:
  - a. The Capitol Police shall police the United States Capitol Buildings and Grounds under the direction of the Board, and shall have the power to enforce the provisions of this section, sections 1922, 1966, 1967, and 1969 of this title (and regulations promulgated under section 1969 of this title), and chapter 51 of title 40, and to make arrests within the United States Capitol Buildings and Grounds for any violations of any law of the United States, of the District of Columbia, or any regulation promulgated pursuant thereto. The Capitol Police shall have the additional authority to make arrests within the District of Columbia for crimes of violence, as defined in section 16 of title 18, committed within the Capitol Buildings and Grounds and shall have the additional authority to make arrests, without a warrant, for crimes of violence, as defined in section 16 of title 18, committed in the presence of any member of the Capitol Police performing official duties: provided further, that the Metropolitan Police of the District of Columbia are authorised to make arrests within the United States Capitol Buildings and Grounds for any violation of any such laws or regulations, but such authority shall not be construed as authorising the Metropolitan Police, except with the consent or upon the request of the Board, to enter such buildings to make arrests in response to complaints or to serve warrants or to patrol the United States Capitol Buildings and Grounds.
2. 2 U.S. Code § 1966 shall be stricken in its entirety, and shall now read as follows:
  - a. Subject to the direction of the Board, the United States Capitol Police is authorised to protect, in any area of the United States, any Member of Congress, or officer of the Congress, if the Board determines such protection to be necessary.

- b. In carrying out its authority under this section, the Board, or its designee, is authorised, in accordance with regulations issued by the Board pursuant to this section, to detail, on a case-by-case basis, members of the Capitol Police to provide such protection as the Board may determine necessary under this section.
  - c. In the performance of their protective duties under this section, members of the Capitol Police are authorised
    - i. to make arrests without warrant for any offence against the United States committed in their presence, or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony; and
    - ii. to utilise equipment and property of the Capitol Police.
  - d. Whoever knowingly and willfully obstructs, resists, or interferes with a member of the Capitol Police engaged in the performance of the protective functions authorised by this section, shall be fined not more than \$15,000 or imprisoned not more than 8 days, or both.
3. 2 U.S. Code § 1966a shall be stricken in its entirety and shall now read as follows:
- a. The Capitol Police shall perform a threat assessment for former Speakers of the House of Representatives, and if warranted, any such former Speaker shall receive a United States Capitol Police protective detail for a period of not more than 80 calendar days beginning on the date they leave such office, except that such former Speaker shall have the option to decline such protective detail at any time: provided, that at the conclusion of the 80 calendar day period, the Capitol Police shall perform a threat assessment to determine whether extension of the protective detail is warranted: provided further, that, the protective detail may be extended

beyond the initial 80 calendar day period, with the concurrence of the relevant former Speaker, if the Capitol Police determines that information or conditions, including but not limited to violent threats, warrant such protection: provided further, that the Capitol Police is authorised to enter into Memoranda of Understanding with relevant state and local law enforcement agencies, as needed, to carry out this section: provided further, that the former Speaker doesn't hold an office entitled to protection from another federal agency.

4. 2 U.S. Code § 1969 shall be stricken in its entirety and shall now read as follows:
  - a. The Capitol Police Board shall have exclusive charge and control of the regulation and movement of all vehicular and other traffic, including the parking and impounding of vehicles and limiting the speed thereof, within the United States Capitol Grounds; and said Board is authorised and empowered to make and enforce all necessary regulations therefor and to prescribe penalties for violation of such regulations, such penalties not to exceed a fine of \$10,000 or imprisonment for not more than 3 days. Notwithstanding the foregoing provisions of this section, those provisions of any act passed by the Council of the District of Columbia regarding traffic regulations, for the violation of which specific penalties are provided in said Act, shall be applicable to the Capitol Grounds. Prosecutions for violation of such regulations shall be in the District Court of the District of Columbia.
  - b. Regulations authorised to be promulgated under this section shall be promulgated by the Capitol Police Board and such regulations may be amended from time to time by the Capitol Police Board whenever it shall deem it necessary: provided, that until such regulations are promulgated and become effective, the traffic

regulations of the District of Columbia shall be applicable to the Capitol Grounds.

- c. When a Municipality of the District of Columbia is established, it shall be the duty of the Mayor of such municipality, or any officer or employee of the municipality of the District of Columbia designated by said Mayor upon request of the Board, to cooperate with the Board in the preparation of the regulations authorised to be promulgated under this section, and any future amendments thereof.
5. 2 U.S. Code § 1974 shall be stricken in its entirety and shall now read as follows:
- a. In the event of an emergency, as determined by the Capitol Police Board or in a concurrent resolution of Congress, or as determined by the Chief of the Capitol Police, the Chief of the Capitol Police may appoint—
    - i. any law enforcement officer from any Federal agency or State or local government agency made available by that agency to serve as a special officer of the Capitol Police within the authorities of the Capitol Police in policing the Capitol buildings and grounds, or protecting Members of Congress; and
    - ii. any member of the uniformed services, including members of the National Guard, made available by the appropriate authority to serve as a special officer of the Capitol Police within the authorities of the Capitol Police in policing the Capitol buildings and grounds, or protecting Members of Congress.
  - b. An appointment under this section due to determination by the Chief of the Capitol Police shall be in effect for a period outlined by the Chief of the Capitol Police, unless and until the Capitol Police Board jointly revokes the request for assistance.
  - c. The Capitol Police Board may prescribe regulations to carry out this section.

6. United States Capitol Grounds or United States Capitol Complex shall include the Congressional Offices, the Capitol Police headquarters, the Capitol Building, the immediate sidewalks and roads surrounding the buildings, and the roads and sidewalks leading up to the complex. *See Fig 1.1.*

**Fig 1.1**

